

Docket No.: 112962-201

DECLARATION AND POWER OF ATTORNEY

As below named inventors, We hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled **COMPUTER ARCHITECTURE AND PROCESS OF PATIENT GENERATION, EVOLUTION, AND SIMULATION FOR COMPUTER BASED TESTING SYSTEM USING BAYESIAN NETWORKS AS A SCRIPTING LANGUAGE**, the specification of which [X] is attached hereto OR [] was filed on , as Application Serial No. and was amended on (if applicable).

I/We hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I/We acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I/We hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):			Priority Claimed	
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	<u>Yes</u>	<u>No</u>

I hereby claim the benefit under 35 USC Section 119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):	
<u>Application Number</u>	<u>Filing Date</u>

60/127,850	04/05/99
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I/We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U. S. Application(s):		<u>Status: Patented, Pending, Abandoned</u>
<u>Serial No.</u>	<u>Filing Date</u>	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned hereby grant(s) the firm of PEPPER HAMILTON LLP the power to insert on this Declaration any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document

I hereby appoint the following attorney(s) and/or agent(s) listed at the following customer number:

with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to the address at the aforementioned customer number. with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to them.

Full name of inventor: Walton Sumner, II
Inventor's signature: Walton Sumner II MD Date: 3/29/2000
Residence: St. Louis, MO 63119
Citizenship: U.S.A.
Post Office Address: 161 Slocum Avenue, St. Louis, MO 63119

Full name of inventor: Michael D. Hagen
Inventor's signature: Michael D. Hagen MD Date: 3/29/2000
Residence: Lexington, KY 40502 LEXINGTON, KENTUCKY
Citizenship: U.S.A.
Post Office Address: 2012 Blairmore Road, Lexington, KY 40502 OFFICE: 2224 YOUNG DRIVE LEXINGTON, KY 405

DOCKET NO.: 112962.201

PATENTS ONLY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereto:

1. Name of conveying party(ies):

Walton SUMNER II and Michael D. HAGEN

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: March 31, 2000 and March 30, 2000

2. Name and address of receiving party(ies):

Name: American Board of Family Practice, Inc.

Internal Address: _____

Street Address: 1400 Vine Center Tower, PO Box 1808

City: Lexington State/Country: KY ZIP: 40593-8500

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If the document is being filed together with a new application, the execution date of the application is: April 5, 2000

A. Patent Application No(s): _____

B. Patent No(s): _____

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: PEPPER HAMILTON LLP

Internal Address: _____

Street Address: 600 Fourteenth Street, N.W.

City: Washington State: DC ZIP: 20005-2004

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

50-0436

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Suresh Koshy, Reg. No. 42,761

Name and Registration No. of Person Signing

Signature



April 5, 2000

Date

Total number of pages comprising cover sheet: 1

CMB No. 0851-0011 (exp. 4/94)

ASSIGNMENT

WHEREAS WE, Walton Sumner, II, M.D., of St. Louis, MO and Michael D. Hagen, M.D., of Lexington, KY, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled COMPUTER ARCHITECTURE AND PROCESS OF PATIENT GENERATION, EVOLUTION, AND SIMULATION FOR COMPUTER BASED TESTING SYSTEM USING BAYESIAN NETWORKS AS A SCRIPTING LANGUAGE, executed by us on the date of execution of this document, as shown below, and filed concurrently herewith;

AND WHEREAS, American Board of Family Practice, Inc., a corporation of the State of _____ and having an address of 1400 Vine Center Tower, P.O. Box 1808, Lexington, KY 40593-8500 is desirous of acquiring the entire right, title and interest in and to said invention, including the right to sue for past infringement, and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, we do hereby sell, assign, transfer and set over unto The American Board of Family Practice, Inc., its legal representatives, successors, and assigns, the entire right, title and interest in and to said invention as set forth in the above-mentioned application, including any provisional, original, continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention;

UPON SAID CONSIDERATIONS, we hereby agree with the said assignee that we will not execute any writing or do any act whatsoever conflicting with these presents, and that we will, at any time upon request, without further or additional consideration but at the expense of said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining provisional, original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chooses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignee;

AND we request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said The E. W. Scripps Company, its legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

3/31/2000
Date

Walton Sumner II
Walton Sumner, II, M.D.

Date

Michael D. Hagen, M.D.

STATE OF MISSOURI)
) SS:
COUNTY OF JEFFERSON

On this 31st day of March, ²⁰⁰⁰~~19~~, before me personally appeared Walton Sumner, II, M.D., to me known to be the person named in and who executed the above instrument, and acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

SEAL

Jo Anne Humphries
Notary Public
My commission expires March 20, 2003



STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 19____, before me personally appeared Michael D. Hagen, M.D., to me known to be the person named in and who executed the above instrument, and acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

SEAL

Notary Public
My commission expires _____

ASSIGNMENT

WHEREAS WE, Walton Sumner, II, M.D., of St. Louis, MO and Michael D. Hagen, M.D., of Lexington, KY, have made a certain new and useful invention as set forth in an application for United States Letters Patent, entitled **COMPUTER ARCHITECTURE AND PROCESS OF PATIENT GENERATION, EVOLUTION, AND SIMULATION FOR COMPUTER BASED TESTING SYSTEM USING BAYESIAN NETWORKS AS A SCRIPTING LANGUAGE**, executed by us on the date of execution of this document, as shown below, and filed concurrently herewith;

AND WHEREAS, American Board of Family Practice, Inc., a corporation of the State of _____ and having an address of 1400 Vine Center Tower, P.O. Box 1808, Lexington, KY 40593-8500 is desirous of acquiring the entire right, title and interest in and to said invention, including the right to sue for past infringement, and in and to any and all Letters Patent of the United States and foreign countries which may be obtained therefor;

NOW, THEREFORE, for good and valuable consideration, the receipt for and sufficiency of which is hereby acknowledged, we do hereby sell, assign, transfer and set over unto The American Board of Family Practice, Inc., its legal representatives, successors, and assigns, the entire right, title and interest in and to said invention as set forth in the above-mentioned application, including any provisional, original, continuations, continuations-in-part, divisions, reissues, re-examinations or extensions thereof, and in and to any and all patents of the United States and foreign countries which may be issued for said invention;

UPON SAID CONSIDERATIONS, we hereby agree with the said assignee that we will not execute any writing or do any act whatsoever conflicting with these presents, and that we will, at any time upon request, without further or additional consideration but at the expense of said assignee, execute such additional assignments and other writings and do such additional acts as said assignee may deem necessary or desirable to perfect the assignee's enjoyment of this grant, and render all necessary assistance in making application for and obtaining provisional, original, divisional, continuations, continuations-in-part, reexamined, reissued, or extended Letters Patent of the United States or of any and all foreign countries on said invention, and in enforcing any rights or chooses in action accruing as a result of such applications or patents, by giving testimony in any proceedings or transactions involving such applications or patents, and by executing preliminary statements and other affidavits, it being understood that the foregoing covenant and agreement shall bind, and inure to the benefit of the assigns and legal representatives of assignor and assignee;

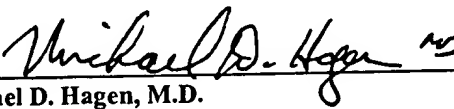
AND we request the Commissioner of Patents and Trademarks to issue any Letters Patent of the United States which may be issued for said invention to said The E. W. Scripps Company, its legal representatives, successors or assigns, as the sole owner of the entire right, title and interest in and to said patent and the invention covered thereby.

Date

3/30/2000

Date

Walton Sumner, II, M.D.



Michael D. Hagen, M.D.

STATE OF _____)
) SS:
COUNTY OF _____)

On this _____ day of _____, 19____, before me personally appeared Walton Sumner, II, M.D., to me known to be the person named in and who executed the above instrument, and acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

SEAL

Notary Public

My commission expires _____

STATE OF Kentucky)
 State-at-Large) SS:
COUNTY OF _____)

On this 30 day of March, 2000, before me personally appeared Michael D. Hagen, M.D., to me known to be the person named in and who executed the above instrument, and acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

SEAL

Marsha P. Norris
Notary Public

My commission expires May 20, 2002